

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY vs. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: U.S. Army Corps of Engineers, Sacramento District

FILE NUMBER: 200600195

REGULATORY PROJECT MANAGER: Anna Sutton DATE: May 11, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the Office (y/n) N
At the project site (y/n) Y Date: May 9, 2006

PROJECT LOCATION INFORMATION:

State: California

County: Sacramento

Center coordinates of site by latitude & longitude coordinates: Latitude 038° 37' 57.4", Longitude 121° 27' 58.1"

Approximate size of site/property (including uplands & in acres):

Name of waterway or watershed: Natomas East Main Drainage Canal

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	0.614 ac								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool	√								
Natural pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown (Use Best Professional Judgement)		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	√				
Is or would be used as habitat by other migratory birds that cross state lines?					√
Is or would be used as habitat for endangered species?					√
Is used to irrigate crops sold in interstate commerce?				√	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable,

intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved ✓

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite): Site contains 0.614 acre of seasonal wetlands and vernal pools. These waters do not flow offsite and are contained entirely within property boundaries. Ducks were present onsite during field inspection. Per applicant's wetland consultant, vernal pool fairy shrimp sampling has proven negative.